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SUBJECT: ARAB LEAGUE AMBASSADOR DISCUSSES BASHIR AND AID TO
THE PALESTINIANS

Classified By: Ambassador Susan E. Rice for reasons 1.4(b) and (d).

ICC indictment of Bashir

¶1. (C) Arab League (AL) Ambassador Yahya Mahmassani began his March 5 meeting with Ambassador Rice by raising the International Criminal Court's (ICC) March 4 announcement of an arrest warrant for Sudanese President Bashir. He reiterated the AL's position that the indictment is not a positive step and said the AL would probably send a delegation to the UN to press the Security Council to use its Article 16 authority to defer the indictment for a year. Mahmassani acknowledged that the AL does not have the nine votes in the Security Council that would be necessary to approve such a decision, but said the AL is working very hard to muster support. He promised to let the U.S. know if the AL does manage to get the support of nine Security Council members, and expressed the hope that in that case the U.S. and other members likely to exercise their vetoes would reconsider their positions.

¶2. (C) In an intense exchange, Rice pressed Mahmassani for an AL reaction to Bashir's expulsion of humanitarian aid organizations from Sudan in reaction to the ICC announcement. She emphasized that the core issue is saving the lives of innocent people and Bashir's action puts them at even greater immediate risk. Mahmassani repeatedly dodged the question, instead saying that Bashir has started to cooperate and so should be given more time, via an Article 16 deferral, to make progress. He finally admitted that he personally did not approve of the expulsion, but said the AL had not officially reacted to it and probably would not.

Assistance to the Palestinians

¶3. (C) Mahmassani urged that the Administration fully support the Arab Peace Initiative and encourage Israel to take the initiative seriously. He said there has been no movement since Annapolis, and the AL is now looking for action from the U.S., not just "good words." In response to Rice's question about whether the Saudis and other Gulf countries would provide their donations to the Palestinians through the Palestinian Authority (PA) in order to bolster the PA, Mahmassani said that the AL recognizes the PA as the sole Palestinian authority, but at the same time must be practical and recognize that Hamas is in Gaza. He said that the AL is having discussions on how to provide the aid and that, speaking frankly, the AL is divided and some members support Hamas.

Rice